REMARKS

Applicant respectfully requests reconsideration of this application, and reconsideration of the Office Action dated August 11, 2004. Upon entry of this Amendment, claims 1-21 and 23-27 will remain pending in this application with claims 3-7 and 15-22 currently withdrawn. New claim 28 is also added and claim 22 is canceled. New claim 28 corresponds to previous claim 21 (which now depends only from claim 8) but depending from claim 15. The changes to the claims and new claim 28 are supported by the specification and original claims. No new matter is incorporated by this Amendment. Moreover, no additional claim fees are believed due as a result of this Amendment.

Applicant gratefully acknowledges the Examiner's express indication that claims 8-14, 26 and 27 are allowed.

In addition, Applicant notes claims 3-7 and 15-22 are currently withdrawn as being drawn to non-elected species. However, Applicant respectfully submits that claims 1 and 23 are generic, and thus requests that the withdrawn claims be rejoined once claims 1 and 23 are deemed to be allowed.

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Claims 1, 2, and 23 –25 are rejected under 35 U.S.C. § 112, second paragraph, as purportedly indefinite. Specifically, the Office Action asserts the phrase "to the opposite surface to a surface of the first electrode" is confusing. In response, Applicant has carefully considered the rejection and has amended claims 1 and 23 in a manner that clarifies this feature of the claims. Hence, the rejection is overcome and its withdrawal is requested.

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Claims 1, 2, 23, and 24 are rejected under 35 U.S.C. § 102(b) as purportedly anticipated by Kindaichi et al. (JP 05-198390).

Claims 1, 2, 23, and 24 are rejected under 35 U.S.C. § 102(b) as purportedly anticipated by Nakano et al. (U.S. Pat. No. 6,155,202).

Both rejections are addressed together as similar issues apply to both. The Office Action asserts Kindaichi and Nakano both describe each feature of the claims and thus anticipate the claimed invention. Applicant respectfully traverses both rejections.

Independent claim 1 (from which claim 2 depends) concerns a plasma processing system. The system includes a feeding member for feeding high frequency electric power from a high frequency electric power supply, through a feeding position to the recited "first" surface of the first electrode (that is the first electrode surface facing away from the recited "second" surface thereof that faces "said second electrode"). The system also includes a moving mechanism for moving the feeding position of the feeding member.

Independent claim 23 (from which claim 24 depends) concerns a corresponding method. The method of claim 23 also recites that the feeding position is moved on a feeding plane when high frequency electric power is fed to such "first" surface of the first electrode to form a plasma.

To aid in explaining the invention, Applicant refers to Figure 7 and the corresponding portion of the specification. According to the present invention and as exemplified in Figure 7, the receiving terminal portion 60 represents the feeding member. The feeding position of the feeding member can be positioned on the first electrode 21. In other words, the moving mechanism 66 rotates the rotating member 64 which causes the feeding member 60 to move thereby moving the feeding position.

Neither Kindaichi nor Nakano teaches or fairly suggests this feature of the independent claims. The Office Action asserts Kindaichi describes a moving mechanism 7 for moving the feeding position of feeding members 6, 14, 15. However, in Kindaichi, the feeding position is located at the center of the electrode 3, and it is not moved. The moving mechanism actually is for changing the capacitance of the condenser. Likewise, in Nakano, the feeding position is positioned at the center of the electrode and is not moved. The rotating insulating member described by Nakano is not for moving the feeding position but rather for tuning the capacitance between electrode 25a and 25b. See Column 6, Lines 58-61. Hence, neither document teaches nor fairly suggests a moving mechanism for moving the feeding position of the feeding member.

In view of the above remarks, Applicant submits that both rejections are overcome and requests they both be withdrawn.

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Claim 25 is rejected under 35 U.S.C. § 103(a) as purportedly obvious based on Kindaichi in view of Nakano et al. Applicant also respectfully traverses this rejection.

The deficiencies of both documents are discussed above. Neither document teaches nor fairly suggests a moving mechanism for moving the feeding position of the feeding member. Moreover, there is nothing in the teachings of either document which would motivate those of ordinary skill in the art to include the above described claim feature. Hence, Applicant submits that this rejection is also overcome and requests that it be withdrawn.

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Applicant respectfully submits that this Amendment and the above remarks obviate the outstanding rejections in this case, thereby placing the application in condition for immediate allowance. Allowance of this application is earnestly solicited.

If any fees under 37 C.F.R. §§1.16 or 1.17 are due in connection with this filing, please charge the fees to Deposit Account No. 02-4300; Order No. 033082.123.

If an extension of time under 37 C.F.R. § 1.136 is necessary that is not accounted for in the papers filed herewith, such an extension is requested. The extension fee should be charged to Deposit Account No. 02-4300; Order No. 033082.123.

Respectfully submitted,
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